


U.S. DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
LAFAYETTE DIVISION

UNITED STATES OF AMERICA

VERSUS

ANDRES LOPEZ ONATE

* CRIMINAL NO.
* 18 U.S.C. § 922(a)(6)
* 18 U.S.C. § 924(a)(2)
* 18 U.S.C. § 554(a)
*
*

INDICTMENT

6:23-cr-00250-01
Judge Summerhays
Magistrate Judge Whitehurst

THE FEDERAL GRAND JURY CHARGES:

COUNT 1

**FALSE STATEMENT DURING PURCHASE OF A FIREARM
18 U.S.C. § 922(a)(6)**

On or about January 29, 2019, in the Western District of Louisiana, the defendant, ANDRES LOPEZ ONATE, in connection with the acquisition of firearms, to wit, a Remington model 710, .270 caliber rifle, SN 71060116, and a Beretta model A400 Xcel 12 gauge shotgun, SN XA098097, and a Hatsan Arms Co. model Escort M87, 12 gauge shotgun, SN 547993, from Elson Duhon Gun Shop, a licensed dealer of firearms within the meaning of Chapter 44, Title 18, United States Code, knowingly made a false and fictitious statement to Elson Duhon Gun Shop, as to a fact material to the lawfulness of such sale of the said firearms to the defendant under chapter 44 of Title 18, in that the defendant represented that he was the actual transferee/buyer of the firearms, when in fact as the defendant then knew, he was not the actual buyer of the firearms; in violation of Title 18, United States Code, Sections 922(a)(6) and 924(a)(2).

COUNT 2

**FALSE STATEMENT DURING PURCHASE OF A FIREARM
18 U.S.C. § 922(a)(6)**

On or about April 4, 2019, in the Western District of Louisiana, the defendant, ANDRES LOPEZ ONATE, in connection with the acquisition of firearms, to wit, a Mossberg model Patriot, 7mm rifle, SN MPR0145797, and a Windham Weaponry model WW15 2.23/556 rifle, SN WW251276, and a Ruger model AR556, 2.23/556 rifle, SN 855-34549, from Elson Duhon Gun Shop, a licensed dealer of firearms within the meaning of Chapter 44, Title 18, United States Code, knowingly made a false and fictitious statement to Elson Duhon Gun Shop, as to a fact material to the lawfulness of such sale of the said firearms to the defendant under chapter 44 of Title 18, in that the defendant represented that he was the actual transferee/buyer of the firearms, when in fact as the defendant then knew, he was not the actual buyer of the firearms; in violation of Title 18, United States Code, Sections 922(a)(6) and 924(a)(2).

COUNT 3

**FALSE STATEMENT DURING PURCHASE OF A FIREARM
18 U.S.C. § 922(a)(6)**

On or about July 15, 2019, in the Western District of Louisiana, the defendant, ANDRES LOPEZ ONATE, in connection with the acquisition of firearms, to wit, a Rock River Arms model LAR8, 7.62 nato rifle, SN UT111456, and a Glock model 17Gen4 9mm pistol, SN BKPH052, from Elson Duhon Gun Shop, a licensed dealer of firearms within the meaning of Chapter 44, Title 18, United States Code, knowingly made a false and fictitious statement to Elson Duhon Gun Shop, as to a fact material

to the lawfulness of such sale of the said firearms to the defendant under chapter 44 of Title 18, in that the defendant represented that he was the actual transferee/buyer of the firearms, when in fact as the defendant then knew, he was not the actual buyer of the firearms; in violation of Title 18, United States Code, Sections 922(a)(6) and 924(a)(2).

COUNT 4

**FALSE STATEMENT DURING PURCHASE OF A FIREARM
18 U.S.C. § 922(a)(6)**

On or about September 18, 2019, in the Western District of Louisiana, the defendant, ANDRES LOPEZ ONATE, in connection with the acquisition of firearms, to wit, a Ruger model R1911 .45 caliber pistol, SN 671-53817, and a CZ model 712ALS 12 gauge shotgun, SN 12A4786, from Elson Duhon Gun Shop, a licensed dealer of firearms within the meaning of Chapter 44, Title 18, United States Code, knowingly made a false and fictitious statement to Elson Duhon Gun Shop, as to a fact material to the lawfulness of such sale of the said firearms to the defendant under chapter 44 of Title 18, in that the defendant represented that he was the actual transferee/buyer of the firearms, when in fact as the defendant then knew, he was not the actual buyer of the firearms; in violation of Title 18, United States Code, Sections 922(a)(6) and 924(a)(2).

COUNT 5

**FALSE STATEMENT DURING PURCHASE OF A FIREARM
18 U.S.C. § 922(a)(6)**

On or about February 10, 2020, in the Western District of Louisiana, the defendant, ANDRES LOPEZ ONATE, in connection with the acquisition of firearms, to wit, a Ruger model 10/22 .22 caliber rifle, SN 0005-06046, and a Barrett model 82A1 .50 caliber rifle, SN AA009715, from Elson Duhon Gun Shop, a licensed dealer of firearms within the meaning of Chapter 44, Title 18, United States Code, knowingly made a false and fictitious statement to Elson Duhon Gun Shop, as to a fact material to the lawfulness of such sale of the said firearms to the defendant under chapter 44 of Title 18, in that the defendant represented that he was the actual transferee/buyer of the firearms, when in fact as the defendant then knew, he was not the actual buyer of the firearms; in violation of Title 18, United States Code, Sections 922(a)(6) and 924(a)(2).

COUNT 6

**FALSE STATEMENT DURING PURCHASE OF A FIREARM
18 U.S.C. § 922(a)(6)**

On or about February 11, 2020, in the Western District of Louisiana, the defendant, ANDRES LOPEZ ONATE, in connection with the acquisition of firearms, to wit, a Diamond Back model DB10 .308 rifle, SN DB-7008181, and a Barrett model 82A1 .50 caliber rifle, SN AA009721, from Louisiana Gun Shop, a licensed dealer of firearms within the meaning of Chapter 44, Title 18, United States Code, knowingly made a false and fictitious statement to Louisiana Gun Shop, as to a fact material to

the lawfulness of such sale of the said firearms to the defendant under chapter 44 of Title 18, in that the defendant represented that he was the actual transferee/buyer of the firearms, when in fact as the defendant then knew, he was not the actual buyer of the firearms; in violation of Title 18, United States Code, Sections 922(a)(6) and 924(a)(2).

COUNT 7

**FALSE STATEMENT DURING PURCHASE OF A FIREARM
18 U.S.C. § 922(a)(6)**

On or about February 24, 2020, in the Western District of Louisiana, the defendant, ANDRES LOPEZ ONATE, in connection with the acquisition of firearms, to wit, a Barrett model 82A1 .50 caliber rifle, SN AA009840, and a Barrett model 82A1 .50 caliber rifle, SN AA009839, and a Barrett model 82A1 .50 caliber rifle, SN AA009706, from Louisiana Gun Shop, a licensed dealer of firearms within the meaning of Chapter 44, Title 18, United States Code, knowingly made a false and fictitious statement to Louisiana Gun Shop, as to a fact material to the lawfulness of such sale of the said firearms to the defendant under chapter 44 of Title 18, in that the defendant represented that he was the actual transferee/buyer of the firearms, when in fact as the defendant then knew, he was not the actual buyer of the firearms; in violation of Title 18, United States Code, Sections 922(a)(6) and 924(a)(2).

COUNT 8

**FALSE STATEMENT DURING PURCHASE OF A FIREARM
18 U.S.C. § 922(a)(6)**

On or about February 25, 2020, in the Western District of Louisiana, the defendant, ANDRES LOPEZ ONATE, in connection with the acquisition of firearms, to wit, a Barrett model 82A1 .50 caliber rifle, SN AA003439, and a Yildiz model Nbd Ts 870 12 gauge shotgun, SN 0118420, from Elson Duhon Gun Shop, a licensed dealer of firearms within the meaning of Chapter 44, Title 18, United States Code, knowingly made a false and fictitious statement to Elson Duhon Gun Shop, as to a fact material to the lawfulness of such sale of the said firearms to the defendant under chapter 44 of Title 18, in that the defendant represented that he was the actual transferee/buyer of the firearms, when in fact as the defendant then knew, he was not the actual buyer of the firearms; in violation of Title 18, United States Code, Sections 922(a)(6) and 924(a)(2).

COUNT 9

**FALSE STATEMENT DURING PURCHASE OF A FIREARM
18 U.S.C. § 922(a)(6)**

On or about March 20, 2020, in the Western District of Louisiana, the defendant, ANDRES LOPEZ ONATE, in connection with the acquisition of firearms, to wit, a Barrett model 98B .338 Lapua rifle, SN 98B01358, and a Glock model 17Gen4 9mm pistol, SN BKUK441, from Elson Duhon Gun Shop, a licensed dealer of firearms within the meaning of Chapter 44, Title 18, United States Code, knowingly made a false and fictitious statement to Elson Duhon Gun Shop, as to a fact material

to the lawfulness of such sale of the said firearms to the defendant under chapter 44 of Title 18, in that the defendant represented that he was the actual transferee/buyer of the firearms, when in fact as the defendant then knew, he was not the actual buyer of the firearms; in violation of Title 18, United States Code, Sections 922(a)(6) and 924(a)(2).

COUNT 10

**FALSE STATEMENT DURING PURCHASE OF A FIREARM
18 U.S.C. § 922(a)(6)**

On or about April 23, 2020, in the Western District of Louisiana, the defendant, ANDRES LOPEZ ONATE, in connection with the acquisition of firearms, to wit, a Barrett model M82A1 .50 caliber rifle, SN AA009534, and a Barrett model 82A1 .50 caliber rifle, SN AA009894, from Elson Duhon Gun Shop, a licensed dealer of firearms within the meaning of Chapter 44, Title 18, United States Code, knowingly made a false and fictitious statement to Elson Duhon Gun Shop, as to a fact material to the lawfulness of such sale of the said firearms to the defendant under chapter 44 of Title 18, in that the defendant represented that he was the actual transferee/buyer of the firearms, when in fact as the defendant then knew, he was not the actual buyer of the firearms; in violation of Title 18, United States Code, Sections 922(a)(6) and 924(a)(2).

COUNT 11

**FALSE STATEMENT DURING PURCHASE OF A FIREARM
18 U.S.C. § 922(a)(6)**

On or about April 23, 2020, in the Western District of Louisiana, the defendant, ANDRES LOPEZ ONATE, in connection with the acquisition of firearms, to wit, a

Barrett model M82A1 .50 caliber rifle, SN AA009967, and a Barrett model M82A1 .50 caliber rifle, SN AA009094, and a Barrett model 82A1 .50 caliber rifle, SN AA009706, from Rex Tactical Armory, a licensed dealer of firearms within the meaning of Chapter 44, Title 18, United States Code, knowingly made a false and fictitious statement to Rex Tactical Armory, as to a fact material to the lawfulness of such sale of the said firearms to the defendant under chapter 44 of Title 18, in that the defendant represented that he was the actual transferee/buyer of the firearms, when in fact as the defendant then knew, he was not the actual buyer of the firearms; in violation of Title 18, United States Code, Sections 922(a)(6) and 924(a)(2).

COUNT 12

**FALSE STATEMENT DURING PURCHASE OF A FIREARM
18 U.S.C. § 922(a)(6)**

On or about June 8, 2020, in the Western District of Louisiana, the defendant, ANDRES LOPEZ ONATE, in connection with the acquisition of firearms, to wit, a Barrett model M82A1 .50 caliber rifle, SN AA009708, and a Barrett model M82A1 .50 caliber rifle, SN AA009710, and a Barrett model M82A1 .50 caliber rifle, SN AA009711, and a Barrett model M82A1 .50 caliber rifle, SN AA009712, from Rex Tactical Armory, a licensed dealer of firearms within the meaning of Chapter 44, Title 18, United States Code, knowingly made a false and fictitious statement to Rex Tactical Armory, as to a fact material to the lawfulness of such sale of the said firearms to the defendant under chapter 44 of Title 18, in that the defendant represented that he was the actual transferee/buyer of the firearms, when in fact as

the defendant then knew, he was not the actual buyer of the firearms; in violation of Title 18, United States Code, Sections 922(a)(6) and 924(a)(2).

COUNT 13

**FALSE STATEMENT DURING PURCHASE OF A FIREARM
18 U.S.C. § 922(a)(6)**

On or about June 22, 2020, in the Western District of Louisiana, the defendant, ANDRES LOPEZ ONATE, in connection with the acquisition of firearms, to wit, a Beretta model 92FS 9mm pistol, SN H34556Z, and a DPMS model Oracle A3 .308 rifle, SN 166178, from Louisiana Gun Shop, a licensed dealer of firearms within the meaning of Chapter 44, Title 18, United States Code, knowingly made a false and fictitious statement to Louisiana Gun Shop, as to a fact material to the lawfulness of such sale of the said firearms to the defendant under chapter 44 of Title 18, in that the defendant represented that he was the actual transferee/buyer of the firearms, when in fact as the defendant then knew, he was not the actual buyer of the firearms; in violation of Title 18, United States Code, Sections 922(a)(6) and 924(a)(2).

COUNT 14

**AIDING AND ABETTING SMUGGLING GOODS
FROM THE UNITED STATES
18 U.S.C. § 554(a) & 2**

In or around July 2020, in the Western District of Louisiana, ANDRES LOPEZ ONATE, did fraudulently and knowingly attempt to export or send from the United States, merchandise, including one Barrett model M82A1 .50 caliber rifle, SN AA009712, contrary to any law or regulation of the United States, in that the defendant had not obtained a validated export license from the Department of

Commerce, in violation of Title 50, United States Code, Appendix, § 2410(a), and Title 15, Code of Federal Regulations, Part 736.2, 764.2, 764.3(b), and 774.1, all in violation of Title 18, U.S.C. § 554(a) & 2.

FORFEITURE ALLEGATION

1. The allegations contained in Counts 1 through 13 of this Indictment are hereby realleged and incorporated by reference for the purpose of alleging forfeitures pursuant to Title 18, United States Code, Section 924(d) and Title 28, United States Code, Section 2461(c).

2. Upon conviction of the offenses in violation of Title 18, United States Code, Section 922(a)(6) set forth in Counts 1 through 13 of this Indictment, the defendant, ANDRES LOPEZ ONATE, shall forfeit to the United States pursuant to Title 18, United States Code, Section 924(d) and Title 28, United States Code, Section 2461(c), any firearms and ammunition involved in the commission of the offense, including, but not limited to:

- one (1) Remington model 710, .270 caliber rifle, SN 71060116;
- one (1) Beretta model A400 Xcel 12 gauge shotgun, SN XA098097;
- one (1) Hatsan Arms Co. model Escort M87, 12 gauge shotgun, SN 547993;
- one (1) Mossberg model Patriot, 7mm rifle, SN MPR0145797;
- one (1) Windham Weaponry model WW15 2.23/556 rifle, SN WW251276;
- one (1) Ruger model AR556, 2.23/556 rifle, SN 855-34549;
- one (1) Rock River Arms model LAR8, 7.62 nato rifle, SN UT111456;
- one (1) Glock model 17Gen4 9mm pistol, SN BKPH052;
- one (1) Ruger model R1911 .45 caliber pistol, SN 671-53817;
- one (1) CZ model 712ALS 12 gauge shotgun, SN 12A4786;
- one (1) Ruger model 10/22 .22 caliber rifle, SN 0005-06046;
- one (1) Barrett model 82A1 .50 caliber rifle, SN AA009715;
- one (1) Diamond Back model DB10 .308 rifle, SN DB-7008181;
- one (1) Barrett model 82A1 .50 caliber rifle, SN AA009721;

- one (1) Barrett model 82A1 .50 caliber rifle, SN AA009840;
- one (1) Barrett model 82A1 .50 caliber rifle, SN AA009839;
- one (1) Barrett model 82A1 .50 caliber rifle, SN AA009706;
- one (1) Barrett model 82A1 .50 caliber rifle, SN AA003439;
- one (1) Yildiz model Nbd Ts 870 12 gauge shotgun, SN 0118420;
- one (1) Barrett model 98B .338 Lapua rifle, SN 98B01358;
- one (1) Glock model 17Gen4 9mm pistol, SN BKUK441;
- one (1) Barrett model M82A1 .50 caliber rifle, SN AA009534;
- one (1) Barrett model 82A1 .50 caliber rifle, SN AA009894;
- one (1) Barrett model M82A1 .50 caliber rifle, SN AA009967;
- one (1) Barrett model M82A1 .50 caliber rifle, SN AA009094;
- one (1) Barrett model 82A1 .50 caliber rifle, SN AA009706;
- one (1) Barrett model M82A1 .50 caliber rifle, SN AA009708;
- one (1) Barrett model M82A1 .50 caliber rifle, SN AA009710;
- one (1) Barrett model M82A1 .50 caliber rifle, SN AA009711;
- one (1) Barrett model M82A1 .50 caliber rifle, SN AA009712;
- one (1) Beretta model 92FS 9mm pistol, SN H34556Z; and
- one (1) DPMS model Oracle A3 .308 rifle, SN 166178.

All pursuant to 18 U.S.C. § 924(d) and 28 U.S.C. § 2461(c).

A TRUE BILL:

REDACTED

GRAND JURY FOREPERSON

BRANDON B. BROWN
United States Attorney



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